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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91187019
Party	Defendant Specchiasol S.R.L.
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**09579M-OPP**

IN THE U.S. PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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**GALDERMA S.A.**

Opposer

*V.*

Opp. No.: **91187019**

**SPECCHIASOL S.R.L.**

Applicant

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To the Hon. Asst. Comm. Of Trademarks  
P.O. Box 1451  
Arlington, VA 22313-1451

**MOTION FOR THREE MONTH SUSPENSION**

Applicant, SPECCHIASOL S.R.L., with the express consent of G. Mathew Lombard, Esq., attorney for the Opposer, moves the Trademark Trial and Appeal Board for a further three month suspension of the opposition proceeding, including the time by which Applicant must file an Answer to the Notice of Opposition. Applicant and Opposer are now one step away from resolving this opposition on an amicable basis. Since the last motion for suspension filed with the Board last April, Opposer and Applicant have resolved the following issues:

Whether Applicant **SPECCHIASOL S.R.L** should acknowledge that Opposer GALDERMA S.A. has prior rights to both the EPIDUO mark and now the EPYDUO mark with respect to the GALDERMA goods identified in International Class 5 in the GALDERMA US Trademark Application Serial No. 77/027,704;

Whether Oppose GALDERMA S.A. should acknowledge that Applicant **SPECCHIASOL S.R.L.** has rights in its EPID mark that are prior not only to GALDERMA's rights in the mark EPIDUO, but also prior to GALDERMA's rights in its mark EPYDUO with respect to the Specchiasol goods identified in International Class 5 in the Specchiasol US Trademark application Serial No. 77/074,304; and

Whether Applicant Specchiasol should agree to refrain from using its EPID mark with respect to goods identified in International Class 5, only on prescription pharmaceuticals identified in International Class 5; whether Applicant should agree to use its EPID mark only with PROPOLIS and only with its house mark/trade name SPECCHIASOL, or whether a compromise may be reached between Opposer and Applicant where Applicant agrees to refrain from using its EPID mark in connection with GALDERMA goods and/or anti-acne products of any kind .

The sole issue that remains is as follows:

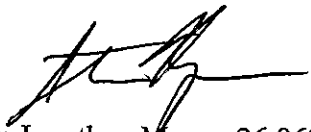
Whether Oppose GALDERMA S.A. must always use its EPIDUO and EPYDUO marks together with its house mark GALDERMA to prevent confusion in the marketplace between GALDERMA's EPIDUO and EPYDUO products and the SPECCHIASOL, products sold under the EPID trademark.

Because the agreement is a world wide settlement agreement and the law on whether a provider of prescription drugs may use a house mark in combination with a brand name drug differs from country to country, more time is needed to work out the required language for the settlement agreement.

If the Board grants the motion for a further three month suspension of the opposition, the parties plan to communicate regularly over the next three months in a diligent, good faith manner to seek an amicable resolution of this remaining issue.

In view of the above, Applicant asks that the Board grant the three month suspension.

KF Ross PC



by: Jonathan Myers, 26,963  
Attorney for Applicant

2 September 2011  
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR THREE MONTH SUSPENSION was served via first class United States mail, postage prepaid, on the attorney for Opposer.

G. Mathew Lombard, Esq.  
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25 Sept. 2011  
Date

  
Jonathan Myers